

to the applicant notice of the contemplated disapproval of the application and opportunity for hearing thereon in accordance with part 71 of this chapter. If, after such notice and opportunity for hearing, the appropriate TTB officer finds that the applicant is not entitled to a permit, an order will be prepared stating the findings on which the application is denied.

§ 41.240 Issuance of permit.

If the application for the permit required under this subpart is approved, the appropriate TTB officer will issue a permit on TTB F 5200.24 to the applicant as an importer of processed tobacco.

§ 41.241 Duration of permit.

A permit issued under § 41.240 of this part will be valid for a period of three years from the effective date shown on the permit.

§ 41.242 Renewal of permit.

(a) *General.* Importers of processed tobacco wishing to continue operations beyond the expiration of their current permit must renew their permit by making application within 30 days of the expiration date on the permit, in accordance with instructions for the permit form. The expiring permit will continue in effect until final action is taken by TTB on the application for renewal, provided a timely application for renewal is filed.

(b) *Minimum activity requirement.* A permit to import processed tobacco will only be renewed for those persons who have engaged in the importing of processed tobacco under the current permit in the one year period prior to the application to renew.

§ 41.243 Retention of permit and supporting documents.

The importer of processed tobacco must retain the permit, together with the copy of the application and supporting documents returned with the permit, at the same place where the records required by this subpart are kept. The permit and supporting documents must be made available for inspection by any appropriate TTB officer upon request.

CHANGES AFTER ORIGINAL QUALIFICATION

§ 41.251 Change in name.

(a) *Change in individual name.* When there is a change in the name of an individual operating under a permit as an importer of processed tobacco, the importer must, within 30 days of such change, make application on TTB F 5230.5 for an amended permit.

(b) *Change in trade name.* When there is a change in a trade name used by an importer of processed tobacco in connection with operations authorized by the permit, the importer must, within 30 days of such change, make application on TTB F 5230.5 for an amended permit to reflect such change. This requirement also applies to the addition or discontinuance of a trade name. The importer must also furnish a true copy of any new trade name certificate or document issued to the importer, or statement in lieu thereof, required by § 41.236.

(c) *Change in corporate name.* When there is a change in the corporate name of an importer of processed tobacco, the importer must, within 30 days of such change, make application on TTB F 5230.5 for an amended permit. The importer must also furnish such documents as may be necessary to establish that the corporate name has been changed.

§ 41.252 Change in ownership or control.

(a) *Fiduciary successor.* If an administrator, executor, receiver, trustee, assignee, or other fiduciary is to take over the business of an importer of processed tobacco as a continuing operation, such fiduciary shall, before commencing operations, make application for permit in accordance with § 41.232, furnish certified copies, in duplicate, of the order of the court, or other pertinent documents, showing his appointment and qualification as such fiduciary. However, where a fiduciary intends only to liquidate the business, qualification as an importer of processed tobacco will not be required if he promptly files with the appropriate TTB officer a written statement to that effect.